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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,905	10/18/2001	Anthony E. Martinez	AUS920010828US1	7303

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,905

Applicant(s)

MARTINEZ ET AL.

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment A as received on 6-8-04.

Claims 1-17 have been examined.

Status of Claims:

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson, Jr. et al., Patent #6,396,474, hereinafter Johnson.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson, Jr. et al., Patent #6,396,474, hereinafter Johnson.

4. Claim 1, which teaches a method of visually indicating transfer of data in response to a pointing device data transfer command comprising: modifying a display position indicator of a display screen based on a data transfer command, Johnson teaches, in column 1, line 40-55, a system in which text is snapped to a cursor for the purpose of moving the text. With regard to claim 1, further

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teaching animating data transfer on the display screen based on the data transfer command from a pointing device, Johnson teaches, in column 5, lines 3-5 and lines 26-44 and in figures 3A-3E, text being gradually moved to the other end of the cursor.

5. With regard to claims 2 and 10, which teach the transfer command being selected from a group consisting of cut, paste, and copy, Johnson teaches, in column 7, lines 5-10, the system being implemented with copy, cut, and paste.

6. With regard to claims 3 and 11, which teach modifying the display position indicator in response to one of a cut or copy command comprising: changing the display position indicator to a position indicator with a reduced object in an indicator bubble, Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-pointed end), where size may be modified. This text string could be loaded in an indicator bubble instead of a square as taught by Johnson, as this is a design choice.

7. With regard to claims 4 and 12, which teach modifying the display position indicator in response to one of a cut or copy command comprising: reducing the marked object to a reduced object and moving the reduced object through the display position indicator into an indicator bubble, Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-

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pointed end), where size may be modified. This text string could be loaded in an indicator bubble instead of a square as taught by Johnson, as this is a design choice.

8. With regard to claims 5 and 13, which teach moving the marked object towards the display position indicator while the object is being reduced, Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-pointed end), where size may be modified.

9. With regard to claims 6 and 14, which teach modifying the display position indicator in response to a paste command comprising: changing the display position with reduced object in an indicator bubble to a position indicator without a reduced object in an indicator bubble, Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a paste command, where the selected text is gradually moved to the other end of the cursor (pointed end), where size may be modified. This text string could be unloaded from an indicator bubble instead of a square as taught by Johnson, as this is a design choice.

10. With regard to claims 7 and 15, which teach modifying the display position indicator in response to a paste command comprising: moving a reduced object from an indicator bubble through the display position indicator, expanding the reduced object, and inserting it to a location indicated by an insertion marker, Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines

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5-10, and in figures 3A-3C, a modification of the position indicator in response to a paste command, where the selected text is gradually moved to the other end of the cursor (pointed end), to a position with an insertion marker (|), where size may be modified. This text string could be unloaded from an indicator bubble instead of a square as taught by Johnson, as this is a design choice.

11. With regard to claims 8 and 16, which teach moving the expanding reduced object towards a insertion marker while the reduced object is expanded, Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (pointed end), to a position with an insertion marker (|), where size may be modified.

12. Claim 9, which teaches a computer readable medium including a program for visually indicating transfer of data in response to a pointing device data transfer command comprising: modifying a display position indicator of a display screen based on a data transfer command, Johnson teaches, in column 1, line 40-55, a system in which text is snapped to a cursor for the purpose of moving the text. With regard to claim 1, further teaching animating data transfer on the display screen based on the data transfer command from a pointing device, Johnson teaches, in column 5, lines 3-5 and lines 26-44 and in figures 3A-3E, text being gradually moved to the other end of the cursor.

13. Claim 17, which teaches a computer readable medium including a program for visually indicating transfer of data in response to a pointing device

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data transfer command comprising: modifying a display position indicator of a display screen based on a data transfer command, Johnson teaches, in column 1, line 40-55, a system in which text is snapped to a cursor for the purpose of moving the text. With regard to claim 1, further teaching animating data transfer on the display screen based on the data transfer command from a pointing device, Johnson teaches, in column 5, lines 3-5 and lines 26-44 and in figures 3A-3E, text being gradually moved to the other end of the cursor.

Response to Arguments

14. The arguments filed on 6-8-04 have been fully considered but they are not persuasive. Reasons set forth below.

15. The applicants' argue that Johnson does not disclose "modifying a display position indicator on a display screen.

16. In response, the examiner respectfully submits that Johnson teaches, in column 1, line 40-55, a system in which text is snapped to a cursor for the purpose of moving the text. The snapping to the cursor provides a correspondence between movement of the pointer and associated subject matter, making the cursor look like both a pointer and a text string.

17. The applicants' argue that Johnson teaches an indicator shape surrounding the text string.

18. In response, the examiner respectfully submits that Johnson teaches, in column 4, lines 20-34, column 5, lines 3-17, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-pointed end),

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and outlined. This text string could be loaded in an indicator bubble instead of the square outline as taught by Johnson's figure 3, as this is a design choice.

19. The applicants' argue that Johnson discloses " reducing a marked object to a reduced object and moving the reduced object through the display position indicator into an indicator bubble.

20. In response, the examiner respectfully submits that Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-pointed end), where size may be modified (as shown in column 4, line 27 and as asserted to in column 3, lines 23-26, where the object is said to be visually zoomed).

21. The applicants' argue that Johnson does not teach 'moving a reduced object... expanding the reduced object, and inserting the expanded object,'.

22. In response, the examiner respectfully submits that Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-pointed end), where size may be modified (as shown in column 4, line 27 and as asserted to in column 3, lines 23-26, where the object is said to be visually zoomed from the source location to the destination location).

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23. The applicants' argue that Johnson does not disclose, teach or suggest a reduced object; much less moving a reduced object, or moving the reduced object while it is expanding, nor an insertion marker.

24. In response, the examiner respectfully submits that Johnson teaches, in column 4, lines 20-34, column 5, lines 3-5, column 7, lines 5-10, and in figures 3A-3C, a modification of the position indicator in response to a cut or copy command, where the selected text is gradually moved to the other end of the cursor (non-pointed end), where size may be modified (as shown in column 4, line 27 and as asserted to in column 3, lines 23-26, where the object is said to be visually zoomed from the source location to the destination location). Where the insertion point of the text is indicated by a insertion caret (see column 4, lines 50-57).

Conclusion

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

26. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

29. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

08-09-04
dgb



RAYMOND J. BAYERL
PRIMARY EXAMINER
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